

**PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

United States District Court		District	2:07cv129-WKW
Name (under which you were convicted): DAVID COOPER		Docket or Case No.:	CC-2006-1084-JH
Place of Confinement: Montgomery County Detention Facility		Prisoner No.:	7743
Petitioner (include the name under which you were convicted) DAVID COOPER		Respondent (authorized person having custody of petitioner) v. Sheriff D.T. Marshall	
The Attorney General of the State of		FILED	

FEB 5 2007

PETITION

- CLERK
- (a) Name and location of court that entered the judgment of conviction you are challenging: **Montgomery County Circuit Court 251 South Lowndes St., Montgomery, AL 36104**
 - (b) Criminal docket or case number (if you know): **CC-2006-1084-JH Judge Johnny Hardwick**
 - (a) Date of the judgment of conviction (if you know): **1-29-07**
 - (b) Date of sentencing: **N/A NONE process**
 - Length of sentence: **N/A CASE NONE process**
 - In this case, were you convicted on more than one count or of more than one crime? Yes ☐ No ☒
 - Identify all crimes of which you were convicted and sentenced in this case: _____

 - (a) What was your plea? (Check one)

(1) Not guilty <input checked="" type="checkbox"/>	(3) Nolo contendere (no contest) <input type="checkbox"/>
(2) Guilty <input type="checkbox"/>	(4) Insanity plea <input type="checkbox"/>

(b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to? N/A

(c) If you went to trial, what kind of trial did you have? (Check one)

Jury ☒

Judge only ☐

- CASE NONE PROCESS AT TRIAL DATE,**
7. Did you testify at a pretrial hearing, trial, or a post-trial hearing?
Yes ☒ No ☐ **IN SOME WORDS I SPOKE REGARDING THIS CASE.**
8. Did you appeal from the judgment of conviction?
Yes ☐ No ☒ **NO APPEAL ON NONE PROCESS CASE.**
9. If you did appeal, answer the following:

(a) Name of court: N/A

(b) Docket or case number (if you know): N/A

(c) Result: N/A

(d) Date of result (if you know): N/A

(e) Citation to the case (if you know): N/A

(f) Grounds raised: N/A

HOWEVER, I DID ALSO FILE A WRIT OF HABEAS CORPUS IN THE STATE SUPREME COURT REGARDING IT'S MATTER, AND JUST TO REMIND THIS COURT LEGAL I HAVEN'T BEEN ABLE TO PROCESS PROSE IN STATE DISTRICT COURT OR STATE CIRCUIT COURT, I AM NOT SURE SUPREME COURT WILL RESPONSE.

(g) Did you seek further review by a higher state court? Yes ☐ No ☒

If yes, answer the following:

(1) Name of court: N/A

(2) Docket or case number (if you know): N/A

(3) Result: N/A

(4) Date of result (if you know): N/A

(5) Citation to the case (if you know): N/A

(6) Grounds raised: N/A

(h) Did you file a petition for certiorari in the United States Supreme Court?

Yes ☐ No ☒

If yes, answer the following:

(1) Docket or case number (if you know):

(2) Result:

(3) Date of result (if you know):

(4) Citation to the case (if you know):

10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court?

Yes ☐ No ☒

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court:

(2) Docket or case number (if you know):

(3) Date of filing (if you know):

(4) Nature of the proceeding:

(5) Grounds raised:

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

Yes ☒ No ☐

(7) Result: *Case NONE process as stated, and judge Johnny Hardwick refuse to release me accordingly, to law.*

(8) Date of result (if you know): *1-29-07*

(b) If you filed any second petition, application, or motion, give the same information:

(1) Name of court:

(2) Docket or case number (if you know):

(3) Date of filing (if you know):

(4) Nature of the proceeding:

(5) Grounds raised:

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

Yes ☒ No ☐

(7) Result:

(8) Date of result (if you know):

(c) If you filed any third petition, application, or motion, give the same information:

(1) Name of court:

(2) Docket or case number (if you know):

(3) Date of filing (if you know):

(4) Nature of the proceeding:

(5) Grounds raised:

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

Yes ☐ No ☐

(7) Result:

(8) Date of result (if you know):

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?

(1) First petition: Yes ☐ No ☐

(2) Second petition: Yes ☐ No ☐

(3) Third petition: Yes ☐ No ☐

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not:

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

Violation of the Fifth, Eighth, Fourteenth Amendment
GROUND ONE: which are guaranteed by the Fourteenth Amendment.

Judge Johnny Hardwick, Sgt Thirty, Sheriff D.T. Marshall are holding me
illegally. (a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): on 1-29-07, I
proceeded to trial, and the D.A. stated before Judge Johnny Hardwick
the only witness police officer M.D. Hall 413, didn't show, and the D.A. moved
for this case to be Nunc Proces to Judge Johnny Hardwick. Judge
Hardwick granted Nunc Proces this case. It was also found out to
this court that this petitioner, didn't have any where to live and he
chose to go back to Florida before this false charge was place on
him in the beginning. Judge Johnny Hardwick, then stated this is

(b) If you did not exhaust your state remedies on Ground One, explain why: _____

There is nothing to exhaust and the office of the
Clark will not response to anything I file please
just like addtional motion I have previously file with
no response from this court also.

(c) **Direct Appeal of Ground One:** _____

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☐

(2) If you did not raise this issue in your direct appeal, explain why: _____

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

Yes ☐ No ☐

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion or petition?

Yes ☐ No ☐

(4) Did you appeal from the denial of your motion or petition?

Yes ☐ No ☐

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One:

GROUND TWO:

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

(b) If you did not exhaust your state remedies on Ground Two, explain why: _____

(c) Direct Appeal of Ground Two:

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☐

(2) If you did not raise this issue in your direct appeal, explain why: _____

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

Yes ☐ No ☐

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion or petition?

Yes ☐ No ☐

(4) Did you appeal from the denial of your motion or petition?

Yes ☐ No ☐

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two: _____

GROUND THREE: _____

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): _____

(b) If you did not exhaust your state remedies on Ground Three, explain why: _____

(c) Direct Appeal of Ground Three:

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☐

(2) If you did not raise this issue in your direct appeal, explain why: _____

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

Yes ☐ No ☐

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion or petition?

Yes ☐ No ☐

(4) Did you appeal from the denial of your motion or petition?

Yes ☐ No ☐

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three: _____

GROUND FOUR: _____

(a) **Supporting facts** (Do not argue or cite law. Just state the specific facts that support your claim.): _____

(b) If you did not exhaust your state remedies on Ground Four, explain why: NO

(c) Direct Appeal of Ground Four:

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☐

(2) If you did not raise this issue in your direct appeal, explain why: NO

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

Yes ☐ No ☐

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion or petition?

Yes ☐ No ☐

(4) Did you appeal from the denial of your motion or petition?

Yes ☐ No ☐

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

- (e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: _____

13. Please answer these additional questions about the petition you are filing:

- (a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction? Yes ☐ No ☐

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them: _____

- (b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them: _____

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? Yes ☐ No ☐

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available. _____

Supporting Facts 2, 2:07cv129 -WKW

law, and the law is strict in Alabama you must have a residence address by law in order to be released, I spoke words in my behalf as to which the statute under the Alabama Code 1975 15-20-21 throughout legislative finding stating nothing about keeping a person in jail because he is homeless in jail nor in any statute regarding the registration of a sex offender with no address be confined, petitioner further states that his original charge was violation of community notification act, which was a false charge place on me statute 15-20-24 (B) which was also a lie because he went in Alabama pursuant to statute 15-20-24 (B) 10 days, nor live here to receive a receipt of a verification form pursuant to that statute. Judge Johnny Hardwick is also lying about a law to hold petitioner in jail until he find a residence in Florida, there is no such law, he refused to file release order on me after none processing the case. Petitioner states prior Sgt. Thirty, who is over the sexual offender registration at the Montgomery County Detention Facility have been holding inmates illegally in jail due to no legal residence against against the statute 15-20-21 which mention nothing about it is law to hold petitioners or anyone else in jail until they find residence. previously petitioner spoke with Sgt. Thirty about residence in Florida and he stated he don't do out of states residence. It is also clearly that anything filed in Circuit Court or any Court other than Federal Court the clerk of the Court will not response to petitioner litigation. I seek my immediate release by law see 15-20-24 (B) including legislative finding 15-20-21 throughout clearly showing there is no legal law to hold me in jail after this court none process this

Supporting Facts 3

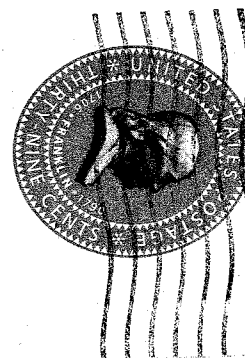
Cose and also Sheriff D.T. Marshall is also allowing Sgt Thirty, to continue to hold petitioner illegally, this is why petitioner stated on lawsuit he wasn't a criminal and never was legally arrested by M.D. Hall, 413, on 4-7-07 and it is clear that petitioner wasn't legally guilty of anything by M.D. Hall witness not witnessing against petitioner on 1-29-07 at trial. Special Circumstances is warranted, petitioner request to this honorable Court to Subpoenaed the Court transcript to hear the D.A. request none process of case, and Judge Hardwick's Statement against petitioner continuing to put petitioner in a situation not legal and stating to petitioner to suit him because he is not letting petitioner go according to law. Petitioner, is right on lawsuit in this Court under Case no. 2:07-CV-11-MEF-TEM and this action after legally been released clearly shows that this entire state is against petitioner simply because he believe in one God only, and who are continuing to do things to petitioner as harm thinking he will join them on a false God of some number two which doesn't exist. Petitioner also state you can also Subpoenaed a copy of the order of none processing petitioner case. petitioner seeks a immediate release by law from Sheriff D.T. Marshall, and Sgt. Thirty of the Montgomery County Detention Facility. again petitioner, can't file anything in Circuit Court pro se because they want response as I filed numerous motions with no response as of this date since 6-20-06, Basically they are saying they can keep me in jail for the rest of my life, because I don't have any residence and I am homeless with no outside help, and I haven't been found guilty on nothing.

Date

Daniel Cropper 7743

David Cooper 7743
P.O. Box 7743
Monts, AL 36105

POSTAGE DUE 24¢



~~Resel-mail~~
INMATE MAIL

Office of the Clerk
United States District Court
P.O. Box 711
Monts, AL 36101

~~Resel-mail~~

RECEIVED

David Cooper 7743
Date 2-1-07

2007 FEB -5 A 10:05

Dear Clerk:

Here is my inmates account balance which is needed including Exhibit A requesting a copy of the Court order of my none Process Case with no avail. Also I can have one copy of the Habeas Corpus form 2254 and I discover you need three copies total. if you can please make two copies and charge them to case NO 2:06-CV-418-MNT, and if not then please send me the original back and two additional copy so I can be legitimate before this Court. Therefore the transcript Rule 5(c) I believe is with Judge Johnny Hardwick, 251 S. Lawrence St monty AL, 36104 and the Sheriff D. T. Marshall has excess to receive a copy of my none process order here at the Montgomery County Detention Facility. I request this letter be a part of the record. Thank you for your Kindness.

David Cooper 7743
Date 2-1-07

Montgomery County Detention Facility 2:07 CV 129-WKW
INMATE REQUEST FORM

DATE: 1-29-07NAME: DAVID COOPERTIME: 9:00 a.m.BOOKING # 7743CELLBLOCK: 4E # 8

Please check **ONLY ONE** of the following:

☐ LAUNDRY☐ RECREATION☐ CHARGES/BOND INFORMATION☐ MAIL☐ CANTEEN☐ ATTORNEY FORM - (Hardship Affidavit)☐ COURT REQUEST FORM**FILED**

FEB 5 2007

☐ PROPERTY☐ VISITATION☐ FOOD SERVICE☐ GENERAL LIBRARY☐ MONEY INFORMATION☒ OTHER

Briefly state your request

S. Davis, could you please give me a copy of my
 Non process papers regarding my case on 1-29-07, now I
 am only awaiting on a address verification out of Florida
 which happen in court today. Thank you.

DO NOT WRITE BELOW THIS LINE - FOR REPLY ONLY

Date: 01/30/07

ACTION TAKEN

Time: _____

You will have to write your attorney or circuit
 Court clerk for this. Said letter through U.S.
 Mail — not hand mail

Action Taken by: _____

Signature

PLACE THIS FORM IN INMATE HANDMAIL BOX FOR PICK-UP

Inmate Request Forms will be routed to the appropriate supervisor or administration for disposition.
 Request Forms will be completed and placed in inmate's file.
 Inmates will receive a copy when a written response is required.

Revised 11/06

RESIDENT HISTORY REPORT

Montgomery County Jail

02/01/07 10:24

ST 002 / OPR YR

Page 1 of 2

Booking Number : 7743
 Resident Name : COOPER, DAVID
 Time Frame : 04/08/2006 06:35 - 02/01/2007 10:24

Date	Time	Type	ST	OPR	Receipt #	Amount	Balance
04/08/2006	06:35	Intake	4	MTF	D1609		
04/20/2006	09:15	Order	1	mgmcl	A53940	2.47	2.47
04/25/2006	11:16	Rec Payment	3	yr	C123842	2.00	0.47
05/03/2006	12:11	Rec Payment	3	yr	C124214	0.18	0.29
05/11/2006	08:47	Order	1	JD	A55409	0.11	0.18
05/11/2006	08:47	Rec Payment	1	JD	A55410	0.00	0.18
05/15/2006	08:48	Order	1	JD	A55650	0.18	0.18
05/18/2006	08:41	Order	1	JD	A55936	0.00	0.00
05/22/2006	09:08	Order	1	JD	A56151	0.00	0.00
05/25/2006	08:20	Order	1	JD	A56374	0.00	0.00
06/01/2006	08:32	Order	1	JD	A56595	0.00	0.00
06/05/2006	08:36	Order	1	JD	A56856	0.00	0.00
06/08/2006	08:40	Order	1	JD	B65230	0.00	0.00
06/12/2006	08:59	Order	2	JD	B65512	0.00	0.00
06/15/2006	08:08	Order	2	JD	B65742	0.00	0.00
06/19/2006	08:44	Order	2	JD	B66027	0.00	0.00
06/22/2006	08:16	Order	2	JD	B66300	0.00	0.00
06/26/2006	08:46	Order	2	JD	B66536	0.00	0.00
06/29/2006	10:15	Order	2	JD	B66780	0.00	0.00
07/06/2006	08:14	Order	2	JD	B67009	0.00	0.00
07/10/2006	08:42	Order	2	JD	B67303	0.00	0.00
07/13/2006	07:52	Order	2	JD	B67586	0.00	0.00
07/17/2006	08:59	Order	2	JD	B67844	0.00	0.00
07/24/2006	09:24	Order	2	JD	B68477	0.00	0.00
07/27/2006	08:48	Order	2	JD	B68772	0.00	0.00
07/31/2006	09:02	Order	2	JD	B69023	0.00	0.00
08/03/2006	08:32	Order	2	JD	B69290	0.00	0.00
08/07/2006	09:02	Order	2	JD	B69538	0.00	0.00
08/10/2006	08:09	Order	2	JD	B69824	0.00	0.00
08/17/2006	08:18	Order	2	JD	B70297	0.00	0.00
08/21/2006	08:58	Order	2	JD	B70599	0.00	0.00
08/24/2006	08:48	Order	2	JD	B70847	0.00	0.00
08/28/2006	09:37	Order	2	JD	B71105	0.00	0.00
08/31/2006	07:59	Order	2	JD	B71364	0.00	0.00
9/07/2006	09:51	Order	2	JD	B71688	0.00	0.00
9/11/2006	08:44	Order	2	JD	B71974	0.00	0.00
9/12/2006	13:47	Credit	2	JD	B72139	0.00	0.00
9/14/2006	08:10	Order	2	JD	B72225	0.00	0.00
9/18/2006	09:36	Order	2	JD	B72470	0.00	0.00
9/21/2006	07:44	Order	2	JD	B72766	0.00	0.00
9/25/2006	09:32	Order	2	JD	B73018	0.00	0.00
9/28/2006	07:53	Order	2	JD	B73262	0.00	0.00
10/02/2006	08:40	Order	2	JD	B73483	0.00	0.00
10/05/2006	08:14	Order	2	JD	B73775	0.00	0.00
10/09/2006	09:36	Order	2	JD	B74032	0.00	0.00
10/12/2006	08:09	Order	2	JD	B74307	0.00	0.00
10/16/2006	09:33	Order	2	JD	B74574	0.00	0.00
10/19/2006	07:56	Order	2	JD	B74843	0.00	0.00
10/23/2006	09:28	Order	2	JD	B75091	0.00	0.00
10/26/2006	07:38	Order	2	JD	B75353	0.00	0.00
10/30/2006	09:54	Order	2	JD	B75592	0.00	0.00
11/02/2006	07:58	Order	2	JD	B75843	0.00	0.00
11/05/2006	08:57	Order	2	JD	B76084	0.00	0.00
11/09/2006	08:04	Order	2	JD	B76360	0.00	0.00
11/12/2006	09:15	Order	2	JD	B76619	0.00	0.00
11/15/2006	08:12	Order	2	JD	B76925	0.00	0.00
11/19/2006	09:35	Order	2	JD	B77226	0.00	0.00
11/22/2006	09:36	Order	2	JD	B77534	0.00	0.00

RESIDENT HISTORY REPORT

Page 2 of 2

Montgomery County Jail
 02/01/07 10:24
 ST 002 / OPR YR

Booking Number : 7743
 Resident Name : COOPER, DAVID
 Time Frame : 04/08/2006 06:35 - 02/01/2007 10:24

Date	Time	Type	ST	OPR	Receipt #	Amount	Balance
11/30/2006	08:11	Order	2	JD	B77862	0.00	0.00
12/04/2006	09:14	Order	2	JD	B78142	0.00	0.00
12/07/2006	08:16	Order	2	JD	B78548	0.00	0.00
12/11/2006	08:58	Order	2	JD	B78844	0.00	0.00
12/14/2006	08:36	Order	2	JD	B79109	0.00	0.00
12/18/2006	08:16	Order	2	JD	B79392	0.00	0.00
12/21/2006	08:11	Order	2	JD	B79703	0.00	0.00
12/28/2006	08:23	Order	2	JD	B80069	0.00	0.00
01/04/2007	08:17	Order	2	JD	B80410	0.00	0.00
01/08/2007	09:04	Order	2	JD	B80753	0.00	0.00
01/11/2007	08:04	Order	2	JD	B81039	0.00	0.00
01/15/2007	08:27	Order	2	JD	B81278	0.00	0.00
01/18/2007	08:08	Order	2	JD	B81514	0.00	0.00
01/22/2007	08:21	Order	2	JD	B81801	0.00	0.00
01/25/2007	08:42	Order	2	JD	B82117	0.00	0.00
01/29/2007	08:01	Order	2	JD	B82358	0.00	0.00
02/01/2007	08:18	Order	2	JD	B82690	0.00	0.00

EXHIBIT-BMONTGOMERY POLICE DEPARTMENT
SUPPLEMENTARY OFFENSE REPORT

06-007731

Victim Name as on Original Report: (Last, First, Middle)		Date, Time of Offense:	Date, Time of Supplement:
State of Alabama		4/06/06 1802	5/19/06
Has arrest been made: Yes / No	Date of Arrest:	Offense as Reported:	
		Violation of the Community Notification Act	
Has warrant/petition Been signed: Yes / No	Date Warrant/ Petition Signed:	Offense after investigation:	

DISPOSITION:

Show this case Cleared by the Arrest of black male David Cooper, DOB 8/23/52, of 362 North Anton Drive. Cooper was arrested and placed in the Montgomery County Detention Facility.

Unfounded	Exc. Cleared	Investigator
Cleared By Arrest	Inactivated	Cpl M.D. Hall #413

10

EXHIBIT-C

Name: COOPER, DAVID
 MR: B000079236
 AdmPhys: GMS, Ahmed
 Admit date: 4/4/2006

DOB: 8/23/1952
 Acct: B0609400139
 Discharge date: 4/6/2006

CHEMISTRY

Cardiac Enzymes

COLLECTION DATE: 4/5/06 4/4/06 4/4/06
 COLLECTION TIME: 2:35:00 AM 8:06:00 PM 9:29:00 AM

				REF RANGE	UNITS
Troponin-I	0.12	0.17	0.11	[<=0.60]	ng/mL

Lipid Panel

COLLECTION DATE: 4/5/06
 COLLECTION TIME: 2:35:00 AM

		REF RANGE	UNITS
Chol	200	[100-240]	mg/dL
Trig	91	[30-200]	mg/dL
HDL	117	[40-96]	mg/dL
LDL	65	[<=150]	mg/dL
VLDL	18.2	[7.0-33.0]	mg/dL
Chol/HDL	1.7	[0.0-5.0]	
LDL/HDL	0.6	[0.0-3.1]	

Thyroid Studies

COLLECTION DATE: 4/4/06
 COLLECTION TIME: 3:00:00 PM

		REF RANGE	UNITS
T4 Free	1.33	[0.72-2.00]	ng/mL

4/4/2006 3:00:00 PM T4 Free:
 Test performed by BMC South Chemistry Department

Hepatitis Tests

COLLECTION DATE: 4/4/06
 COLLECTION TIME: 3:00:00 PM

		REF RANGE	UNITS
Hep Bs Ab	Nonreactive	[Nonreactive]	

4/4/2006 3:00:00 PM Hep Bs Ab:
 Test performed by BMC South Chemistry Department

%%END

EXHIBIT-C-1



DOB: 08/23/52 COOPER, DAVID
 Adm Date/Time: 04/04/06 MR #079236
 2328 GUTIERREZ, CARLOS M 0802A

© 1996 - 2004 T-System, Inc. Circle or check affirmatives; backslash (N) negatives.

33

Baptist Health
EMERGENCY PHYSICIAN RECORD
Chest Pain (5)

DATE: _____ TIME: _____ ROOM: _____ EMS Arrived

HISTORIAN: patient spouse paramedics

HX / EXAM UNOBTAINABLE 2° TO:

HPI

chief complaint: chest pain discomfort

palpitations
 started: on/off for weeks
near syncope

HR? - EMS pt's HR 200's

time course:

still present better
 gone now
 lasted

resolved on arrival in ED

constant "waxing & waning"

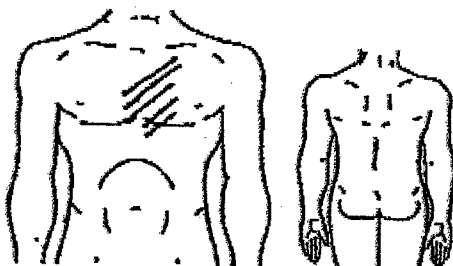
intermittent episodes lasting

worse / persistent since

quality:

pressure
heaviness
indigestion
 burning
 dull
 aching
 sharp
 stabbing
pain
 "numbness"
 "like prior MI"

location of pain:



radiation: none diagrammed above

associated symptoms:

nausea
 vomiting
shortness of breath
sweating

worsened by:

change in position
 deep breaths / turning
 exertion
nothing

relieved by:

sitting up
rest
 antacids
 nothing
 nitroglycerin 1 2 3
 patient's own supply
 given by paramedics
 relief: none / partial /
 complete / voracious
 Oxygen NRB 1

onset during:

sleep rest light activity
 mod. / heavy exertion
 emotional upset
 cannot recall

severity:

maximum (1-10)
 mild moderate severe
 when seen in ED: (1-10)
gone almost gone mild moderate severe
 residual discomfort in arm (R/L)

Similar symptoms previously

Recently seen / treated by doctor

PAST HX negative * = MI risk factor

high blood pressure

diabetes insulin / oral / diet

high cholesterol

heart disease

heart attack (MI)

angina / heart failure / CAD

*DVT / PE / risk factors

GERD

other problems

Surgeries / Procedures none

non-contributory

cardiac bypass

cardiac cath

angioplasty

thrombolytics

pacemaker

emphysema

collapsed lung

stroke

peptic ulcer

documented? yes no

gall stones

thyroid disease

VALUE "PERVALENT"

Medications none see nurses note

NSAID acetaminophen BCPs

ASA time of last dose

Allergies NKDA

see nurses note

SOCIAL HX

recent ETOH

smoker

drug abuse

FAMILY HX

DM

HTN

CAD

(less than 55yo / greater than 55yo)

sudden death stroke diabetes

ROS

HX / EXAM UNOBTAINABLE 2° TO:

CHEST / CONST

fever

cills

cough

sputum

ankle swelling

calf / leg pain

NEURO

headache

blackouts

EYES / ENT

blurred vision

sore throat

GI / GU

abdominal pain

black / bloody stools

problems urinating

SKIN / LYMPH / MS

skin rash / swelling

joint pain

all systems neg. except as marked

FEMALE REPRODUCTIVE

LNMP

vaginal discharge

abnormal bleeding

RN / PA / NP

HISTORY RN / PA / NP sign after recording history; physician initial
 4/19/06

PRINTED BY: b17606

DATE

EXHIBIT-D

Act 2005-301, § 1

2005 FIRST SPECIAL SESSION

"§ 13A-5-6.

"(a) Sentences for felonies shall be for a definite term of imprisonment, which imprisonment includes hard labor, within the following limitations:

- "(1) For a Class A felony, for life or not more than 99 years or less than 10 years.
- "(2) For a Class B felony, not more than 20 years or less than 2 years.
- "(3) For a Class C felony, not more than 10 years or less than 1 year and 1 day.
- "(4) For a Class A felony in which a firearm or deadly weapon was used or attempted to be used in the commission of the felony, or a Class A felony criminal sex offense involving a child as defined in Section 15-20-21(5), not less than 20 years.
- "(5) For a Class B or C felony in which a firearm or deadly weapon was used or attempted to be used in the commission of the felony, or a Class B felony criminal sex offense involving a child as defined in Section 15-20-21(5), not less than 10 years.

"(b) The actual time of release within the limitations established by subsection (a) of this section shall be determined under procedures established elsewhere by law.

"(c) In addition to any penalties heretofore or hereafter provided by law, in all cases where an offender is designated as a sexually violent predator pursuant to Section 15-20-25.3, or where an offender is convicted of a Class A felony criminal sex offense involving a child as defined in Section 15-20-21(5), and is sentenced to a county jail or the Alabama Department of Corrections, the sentencing judge shall impose an additional penalty of not less than 10 years of post-release supervision to be served upon the defendant's release from incarceration.

"§ 13A-6-69.

"(a) It shall be unlawful for any person with lascivious intent to entice, allure, persuade or invite, or attempt to entice, allure, persuade or invite, any child under 16 years of age to enter any vehicle, room, house, office or other place for the purpose of proposing to such child the performance of an act of sexual intercourse or an act which constitutes the offense of sodomy or for the purpose of proposing the fondling or feeling of the sexual or genital parts of such child or the breast of such child, or for the purpose of committing an aggravated assault on such child, or for the purpose of proposing that such child fondle or feel the sexual or genital parts of such person.

"(b) A violation of this section is a Class C felony.

→ 13A-11-200.

"(a) The Legislature declares that its intent in imposing certain reporting and registration requirements on criminal sex offenders is to protect the public, especially children, from the dangers posed by criminal sex offenders and not to further punish such offenders.

"(b) If any person, except a delinquent child, as defined in Section 12-15-1, residing in Alabama, has heretofore been convicted, or shall be convicted in any state or municipal court in Alabama, or federal court, or so convicted in another state in any court having jurisdiction similar to the jurisdiction of state and municipal courts in Alabama for any of the offenses hereinafter enumerated, such person shall, upon his or her release from legal custody, register with the sheriff of the county of his or her legal residence within seven days following such release or within 30 days after September 7, 1967, in case such person was released prior to such date. For purposes of this article, a conviction includes a plea of nolo contendere, regardless of whether adjudication was withheld. The offenses above referred to are generally any act of sexual perversion involving a member of the same or the opposite sex, or any sexual abuse of any member of the same or the opposite sex or any attempt to commit any of these acts, and without limiting the generality of the above statement shall include specifically: rape, as proscribed by Sections 13A-6-61 and 13A-6-62; sodomy, as proscribed by Sections 13A-6-63 and 13A-6-64; sexual misconduct, as proscribed by Section 13A-6-65; indecent exposure, as proscribed by Section 13A-6-68; promoting prostitution in the first or second degree, as proscribed by Sections 13A-12-111 and 13A-12-112; obscenity,

EXHIBIT-D-1

Esco & Benson, L.L.C.

ATTORNEYS AT LAW

547 SOUTH LAWRENCE STREET
MONTGOMERY, ALABAMA 36104

TELEPHONE: 334-832-4529
FAX: 334-832-4527

PAUL D. ESCO

J. CLAY BENSON, JR.

January 30, 2007

Lt. R. A. Stone
Montgomery County Sheriff's Office
115 South Perry Street
Montgomery, Alabama 36104

RE: Proposed Residential Address
State of Alabama v. David Cooper
Case Number: CC-2006-1084-JH

Dear Lt. Stone:

I represent Mr. David Cooper in the above referenced case. On January 29, 2007, Judge Hardwick ordered for Mr. Cooper to be released upon providing an address where Mr. Cooper will be staying. Mr. Cooper is a resident of Florida and upon his release plans to stay at the following address:

1698 Blount Road
Pompano Beach, Florida 33069

Thank you and should you have any questions or need any additional information, please feel free to give me a call.

Sincerely,


Paul D. Esco

PDE/slk

MAILED
1/30/07